

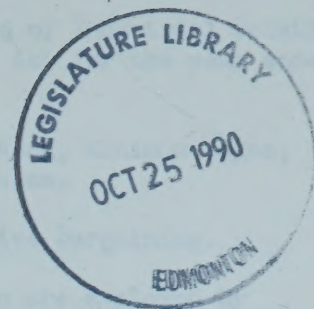
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BOARD
OF
INDUSTRIAL
RELATIONS

ANNUAL
REPORT
1966

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This report is a summary of the activities of the Board of Industrial Relations in the administration and enforcement of The Alberta Labour Act for the year ended December 31, 1966.

Parts I to IV of the Act inclusive deal with Hours of Work, Minimum Wages, Labour Welfare, Vacation Pay and Industrial Standards Schedules.

Part V sets forth procedure for the purpose of Collective Bargaining.

Part VI sets forth procedure where female employees who are employed by employers to perform identical or substantially identical work as males may register claims for equal pay.

LABOUR STANDARDS

	<u>1963</u>	<u>1964</u>	<u>1965</u>	<u>1966</u>
Number of Inspections	42,578	38,364	46,480	49,230
Number of Business Places Inspected	13,994	11,503	12,916	13,050
Number of Employees Affected by Inspections	67,318	68,383	76,443	95,193

SETTLEMENTS MADE

Overtime Arrears	\$ 55,456.13	\$48,982.24	\$ 88,280.71	\$ 94,464.56
Vacation Pay	80,015.44	75,888.77	75,459.03	80,523.55
Under-Payment of Minimum Wages	12,493.94	9,608.85	10,219.00	13,163.29
Non-Payment of Wages Due	108,175.85	86,136.65	120,245.17	111,570.03
General Holidays	-	-	9021.92	30,109.83
TOTAL	256,141.36	220,616.51	303,225.83	329,831.26

Number of Employees Affected by Above Settlements:

Male	3,757	3,470	4,569	5,641
Female	1,119	1,008	1,729	1,792
<u>Number of Complaints Received:</u>	6,793	8,081	10,122	10,609

Number of Employees for Whom Weekly Increases Obtained to at Least the Minimum Wage:

Male	98	48	69	114
Female	258	124	263	307
TOTAL	356	172	332	421

1964

1965

1966

Amount of Weekly Increases Obtained for Employees

Male	160.44	354.97	730.13
Female	<u>424.87</u>	<u>885.06</u>	<u>1172.13</u>
TOTAL	585.31	1,240.03	1,902.26

Number of Vacation Pay Stamp Books Sold	27,471	28,711	Nil
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Amount of Vacation Pay Stamps Sold Under Order No. 6	1,961,381.32	2,371,088.18	Nil
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INDUSTRIAL STANDARDS

Number of Schedules	15	15	13
Number of Interviews	602	563	402
Number of Inspections	268	220	106
Number of Complaints	76	84	67

PROSECUTIONS

Number of Businesses Charged	149	131	185
Number of Informations Entered	285	314	336
Number of Counts Involved	949	749	1,150
Convictions	159	223	194
Withdrawals	71	86	92
Pending	125	129	205
Dismissals	3	1	8
Appeals	5	7	3

Amounts of Fines Assessed	\$2,967.50	\$3,431.00	\$3,103.50
Amounts of Costs Assessed	628.60	733.35	737.45

Amounts Implicated:

Minimum	\$ 2,286.70	\$ 5,568.51	\$ 6,962.99
Arrears of Wages	27,632.22	45,775.28	34,361.19
Vacation Pay	<u>19,001.74</u>	<u>21,982.01</u>	<u>13,117.99</u>
TOTAL	48,920.66	73,325.80	54,442.17

GENERAL REMARKS

During the current year general increases in the volume of work are evident from the above statistical analysis. These increases have resulted from the steady industrial growth in the Province and it will be noted that there has been a continuing increase in the number of inspections made and a substantial increase in the number of employees affected by those inspections.

There was an increase in the total value of settlements effected by the Board staff with the largest increase in settlements relating to the new General Holiday Order which came into effect on September 1st, 1965.

There was a decrease in the settlements involving non-payment of wages but it should be noted there was a substantial increase in under-payment of minimum wages, all of which has a direct relationship to the recent increase in minimum wage requirements.

It will also be noted in a review of the above information that there were no vacation pay stamp books or stamps sold in 1966. A special Vacation Pay Order requiring the use of Vacation with Pay stamps was rescinded on January 1, 1966, and construction employees from that date are to be paid a percentage of their earnings in cash by their employers.

The Board provides service throughout the Province in the administration and enforcement of Labour Standards Legislation and following the opening of a new District Office in Red Deer during the latter part of 1965, increased the field staff in that area to two Inspectors during 1966, in keeping with the policy of providing an adequate service to the public in the area of the Board's responsibility.

PROSECUTIONS

When an employer has failed, omitted, or refused to co-operate with the Department in the matter of compliance with The Alberta Labour Act, Orders and regulations made thereunder, it was necessary to refer the matter to the Courts. A summary of certain Court Cases for the year 1966 is embodied.

CROWN APPEALS

Regina vs. Able Towing Co.

Case dismissed by Magistrate as evidence of complainant was not believed. Complainant had filed wage claim with the Board of Industrial Relations, but before trial had obtained judgement by civil process.

Appealed on a question of fact, and appeal abandoned for want of evidence.

Charges against employer as a natural person, Donald James, subsequently withdrawn for want of satisfactory evidence as the claimant withheld evidence under The Alberta Labour Act.

Regina vs. Ron Hilsabeck (Gray Carriers)

Defence objected to proceedings against natural person, in this case the Director of the Company who was acting as Manager, citing Section 85 of The Companies Act.

Case stated, and appeal dismissed.

Charges still pending against the Company.

Further Crown appeal under consideration.

Regina vs. Allan Beecroft.

Case dismissed in Magistrates Court on grounds of failure to identify accused, when in fact the Crown had fulfilled its obligation.

Crown appeal and trial de novo.

Dismissed due to failure of Crown (Attorney General's Department, Solicitor) to provide transcript of evidence taken in Summary Conviction proceedings. Failure to provide a transcript is fatal.

Withdrawals

Cases under Section 41(6) and 43(8) (failure to comply with the Magistrates Orders, arrears, fines and costs) usually withdrawn on payment of arrears.

Other withdrawals made when Crown was unable to proceed due to inability to locate witnesses, or where arrears paid and not considered desirable to have penalties imposed on a multiplicity of counts.

Two committals under Sections 41(6) and 43(8) were made after all possible adjournments were granted in order to allow Defendants to pay arrears.

SUMMARY OF COURT CASES-BOARD OF INDUSTRIAL RELATIONS

Charges laid for Infractions of
The Alberta Labour Act and Orders

For Year 1966

	Fines	Costs	I/D Days	Arrears	Information Brought Forward From 1965	No. New Cases in 1966	Total Completed	Convictions	Dismissals	Withdrawals	Committals	Warrants Executed	Balance
Sec. 11(1) Failure to Maintain Time Records	\$ 200.00	\$ 18.70	183		4	11	12	8		4			3
Sec. 11(4) Failure to Produce Records	690.00	96.30	555		11	17	20	17	3				18
Sec. 29 Minimum Wage	222.00	51.40		6,962.99	18	25	36	21	1	14			7
Sec. 41 Failure to pay Wages	627.50	299.55	422	34,361.19	38	98	84	65	2	17			52
Sec. 43 Vacation With Pay	1,339.00	264.20	23	13,117.99	33	111	61	38	1	22			83
Sec. 41(6) Failure to pay Court Order					10	16	15	1		14	1	2	11
Sec. 43(8) Failure to pay Court Order					14	14	18	1	1	16	1		10
Sec. 126 General Holiday Pay						38	9	5		4			29
Sec. 10 Obstructing an Inspector	25.00	7.30	10		0	3	1	1					2
Sec. 18 Failure to Post Shift Schedule, etc.					1	3	4	3		1			0
	\$3,103.50	\$737.45	1193	\$54,442.17	129	336	260	160	8	92	2	2	205

THE INDUSTRIAL WAGES SECURITY ACT

A comparative statement as to deposits, exemptions, and wage claims under the Industrial Wages Security Act is as follows:

<u>LUMBERING INDUSTRY</u>		<u>1964</u>	<u>1965</u>	<u>1966</u>
Negotiable security		\$49,153.00	\$49,255.00	\$42,323.00
Non-negotiable security		<u>41,678.31</u>	<u>30,400.00</u>	<u>42,900.00</u>
		\$90,831.31	\$79,655.00	\$85,223.00
Exemption Certificates granted:		116	127	140
<u>WAGE CLAIMS:</u>	number--	129	84	61
	amount--	\$9,385.76	\$6,198.75	\$11,357.01
<u>COAL MINING INDUSTRY</u>				
Negotiable security		\$13,741.07	\$15,140.07	\$12,140.07
Non-negotiable security		<u>3,700.00</u>	<u>3,700.00</u>	<u>4,000.00</u>
		\$17,441.07	\$18,840.07	\$16,140.07
Exemption Certificates granted:		36	33	25
<u>WAGE CLAIMS:</u>	number--	2	4	3
	amount--	\$80.00	\$370.91	\$195.65
<u>COAL MINING + LUMBERING INDUSTRIES</u>				
Total securities		\$108,272.38	\$98,495.07	\$101,363.07
Total Exemption Certificates		152	160	165
Total Wage Claims:	number--	131	88	64
	amount--	\$9,465.76	\$6,569.66	\$11,552.66

No. 1705

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Accountable Advances
 Advertising
 Automobile Purchase
 5 Automobile (Equip. other than for trav.)
 5 Contracts and Agreements
 Entertainment Expenses
 Fees & Commissions
 (Include Convention Registration)
 Freight, Express & Cartage
 Furnishings, Equipment & Tools
 Maintenance in Homes & Schools
 5 Materials & Supplies (Admin.)
 0 Materials & Supplies (Const.)
 Miscellaneous Expenses
 Postage
 Rentals
 5 Repair & Maintenance (Equip. & Tools)
 Repair & Maintenance (Office Machines)
 Salaries
 Telephone & Telegraph
 Transportation (Payment Of)
 Travel Exps. other than Pub. Servants
 5 Travelling Expenses of Public Servants
 (Include Car Expenses)
 Tuition (Payment of)
 0 Utilities
 Wages

APPROPRIATIONS

Estimates 1966 to 1967	Proposed Estimates 1967 to 1968	Final Estimates	Amount Expended Sept. 30, 1966
500.00	500.00	500.00	
200.00	200.00	200.00	18.35
40,000.00	45,000.00	45,000.00	15,730.90
1,000.00	500.00	500.00	1,338.92
2,500.00	3,500.00	3,500.00	1,610.44
15,000.00	15,000.00	15,000.00	8,666.86
15.00		10.00	
4,000.00	4,000.00	4,000.00	2,061.80
1,500.00	1,500.00	1,500.00	688.70
1,000.00	1,200.00	1,200.00	664.44
389,435.00	497,110.00	497,110.00	186,420.62
2,000.00	2,000.00	2,000.00	1,063.48
5,000.00	6,500.00	6,500.00	2,827.95
42,000.00	45,000.00	45,000.00	20,533.28
504,150.00	622,010.00	622,020.00	241,625.74

E

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etails: 3-Board of Industrial Relations Inspector 1 (1-Calgary; 2-Edmonton); 1-Labour Relations Officer (Edmonton)
 2-Clerk Typist 1; 2-Clerk 1; 1-Clerk Steno 11; 1-Clerk Steno 111 (Additional Clerical Staff in General
 Office, Filing Room and Registrars Office.)

ADDENDUM

The Board, as a result of representations from the groups specifically affected, made the following Orders:

Irrigation Industry Order No. 3(1966)

The Board in 1947 made an order permitting extended hours to be worked by outside irrigation employees. This Order was rescinded effective January 1, 1966 and representatives of the irrigation districts subsequently made representations to the Board to the effect that some easement from the statutory hours of work was required during the irrigation season.

The Order which came into effect May 14, 1966, provides that permanent outside employees of irrigation districts paid on a monthly basis may work to a maximum of 9 hours in a day and 54 hours in a week at straight time between April 1st and October 31st each year.

Brush Clearing Industry Order No. 6(1966)

This Order permits employees engaged in brush clearing, except where a collective agreement applies, to work a maximum of 10 hours in a day and 191 hours in a month at straight time and for days of rest to be accumulated to a maximum of 4 in each period of 28 consecutive days.

Nursery Industry Order No. 14(1966)

This Order permits employers engaged in the industry, except where the employer's operation is carried on principally in a greenhouse, to work a maximum of 9 hours in a day and 48 hours in a week at straight time.

The Board amended a few Orders, either as a result of representations or altered circumstances as follows:

Minimum Wage Order No. 1(1965)

Section 4 was amended to provide wages at the minimum rate need be paid only for the actual hours of work where the employers place of business is open less than 4 hours.

General Holidays Order No. 2(1965)

Automobile, truck, bus, mobile home, farm machinery, heavy duty construction and road construction equipment salesmen were removed from the application of the Order. The wording of one section was also clarified.

Highway and Railway Construction Industries Order No. 7(1966)

The previous Order was amended to include railway construction in the scope of the Order permitting employees to work a maximum of 10 hours in a day and 191 hours in a month at straight time and to accumulate days of rest to a maximum of 4 in each period of 28 consecutive days.

Vacations with Pay Order No. 15(1966)

This Order provides that employees in the construction industry will receive vacation credits of 4% of regular earnings each pay period to be paid employees when going on vacation or where the employee has not been given a vacation in the preceding 12 months, on December 31st. This Order was later amended to include railway construction in "construction industry".

Garment Industry Order No. 17(1962)

This Order was rescinded as there was no further need for easement respecting trainees as a result of training programs in which both the Provincial and Federal governments participate.

General Holidays in the Construction Industry Order No. 19(1966)

This Order was amended to include railway construction in "construction industry".

Hours of Work and Minimum Wage Order No. 36(1946)

This Order originally applied to licensed premises in hotels in certain towns and cities at which time beverage rooms were the only such premises. Since that time other types of licenses have been issued and the Order was amended to limit its application to its original scope and to refer to the current legislation.

